

**Guadalupe, San Antonio, Mission, and Aransas Rivers and
Mission, Copano, Aransas, and San Antonio Bays
Basin and Bay Area Stakeholder Committee (BBASC)**

Wednesday, July 6, 2011

Guadalupe-Blanco River Authority, River Annex

905 Nolan

Seguin, TX 78155

MINUTES

Members Present: Suzanne Scott, Chair; Dianne Wassenich, Vice Chair; Bill Braden; Tyson Broad; Thurman Clements; Paula DiFonzo; Karl Dreher; Everett Johnson; Steve Fotiades; Chris Hale; Jerry James; James Lee Murphy; Mike Mecke; Con Mims; Jack Campbell; Kim Stoker; Walter Womack; Mike Peters; Robert Puente; James Dodson (for Ken Dunton); Jay Gray; Jennifer Youngblood; and Jennifer Ellis.

I. Introductions:

Roll call was taken and a quorum was reached.

II. Public Comment:

Mr. Milan Michalec, Comal County and member of the Cow Creek Groundwater Conservation District, read a prepared statement urging members to consider the needs of instream flow and how they relate to groundwater in the upper basin.

Chair Suzanne Scott discussed a request from the President of the Chamber of Commerce for the Cities of Rockport and Fulton to present a chamber resolution to the BBASC Committee at the July 19, 2011 meeting.

III. Discussion and Agreement on Agenda

Chair Scott discussed the agenda and noted that due to the amount of work to be done, presentations will be limited to the time allotted in the agenda. The agenda was approved by consensus.

IV. Approval of Minutes from the May 4, 2011 and May 19, 2011 Meetings

Minutes for the May 4, 2011 and the May 19, 2011 meetings were discussed and members proposed revisions to the May 19, 2011 minutes. Minutes for the May 4, 2011 and May 19, 2011 meetings were approved as amended.

V. Report on TPWD Response on Subsistence Flows (Guadalupe, Mission, and San Antonio Riverine) (Perkins, HDR)

Mr. Brian Perkins, HDR, stated that in the letter from TPWD regarding the BBEST final report, the agency raised concerns regarding subsistence flows at some of the sites addressed in the report. In response to a request from the BBASC, TPWD provided additional information for each of the sites including degree of concern and basis for concern. Mr. Perkins briefly outlined the issues of concern and added that the table presented would be a

good reference for the technical discussion scheduled later in the meeting.

VI. Presentation and Discussion Regarding Texas Instream Flow Program (SB2) Interim Report – San Antonio Riverine (Littrell, Bio-West)

Mr. Brad Littrell, Bio-West, presented findings of the Texas Instream Flow Program (SB2) Interim Recommendations for the Lower San Antonio River and Lower Cibolo Creek for members to consider in determining their recommendations. He discussed four sites evaluated by both the BBEST and TIFP as well as an additional site included in the TIFP recommendations.

Mr. Littrell stated the sites were chosen based on biological observations and discussed the methodology used by the TIFP to develop their recommendations. River 2D Hydrologic models were created at each site and linked to the fish habitat suitability curves to allow evaluation of fish habitat. Mr. Littrell provided examples of the model output showing available habitat such as riffle, shallow run, and pools at various flow levels. Modeling was also done to evaluate the riparian community, transport analysis, and water quality. He discussed how these models were used to derive the final recommendations for the different flow components.

Mr. Littrell presented each site and noted the key differences between the TIFP and BBEST recommendations. He summarized the differences as

- Foundation of the recommendations (hydrology vs biology based);
- Subsistence recommendations; and
- Implementation of pulses and overbank flows.

VII. Presentation and Discussion on Latest BBEST Analyses (Hardy/John) Habitat Curves Report (Guadalupe Riverine/Instream flows)

Dr. Thom Hardy presented the latest BBEST analyses regarding the re-evaluation of aquatic habitat relationships in the Guadalupe River at the Gonzales and Victoria sites. He briefly reviewed the evaluation that was done for the BBEST recommendations and discussed how the hydraulic model calibrations were revisited, parameters were modified and the hydraulic model re-evaluated.

He discussed the habitat curves used by the BBEST and TIFP noting differences and similarities, and the importance in these differences.

Dr. Hardy said that the recent analyses suggested that some reductions in the seasonal HEFR Low, Medium and High Base flow discharges could be considered as part of the BBASC evaluation without affecting the physical habitat needed for a sound ecological environment. However, large scale reductions would be detrimental. He also recommended that the BBASC maintain the three base flow regimes and not consider reducing the number in their recommendation. He noted the importance of considering quantitative water quality and temperature overlays with the physical habitat in the recommendations. He also cautioned that alteration of the HEFR seasonal base flow regimes should be carefully weighed against potential impact on bay and estuary inflow needs.

Estuary Ecological Impact Report (Time series Analyses II)(Estuary Freshwater

Inflow)

Dr. Norman John presented the results of the final BBEST time series analyses. He reviewed the estuary criteria used and characteristics of non-attainment that the BBASC wanted reviewed to determine the biological and ecological implications. He discussed the subcommittees approach to evaluating some of the non-attainment problems, the implications and conclusions under the Regional L Baseline and additional issues that developed from using some of those projects. He discussed the consensus implications and conclusions drawn by the BBEST.

Members discussed Cedar Bayou and considered whether it should be re-opened to provide additional communication with the gulf.

VIII. Presentation and Discussion Regarding GBRA Flow Volume and the Saltwater Barrier (Hill, GBRA)

In response to questions expressed at previous meetings regarding the saltwater barrier, Mr. Tommy Hill, GBRA, made a presentation on the Saltwater barrier and the operations associated with it. He discussed the GBRA/USGS flow studies and issues associated with estimating inflows. Members discussed the salt water barrier and whether it is detrimental to the environment. Mr. Hill noted that the barrier is only in use a few months of the year and offered to provide members a tour of the diversion points located near the barrier.

IX. Presentation and Discussion Regarding NWF Strategies Report (Johns, NWF)

Dr. Norman Johns reviewed the previous work done to find possible strategies and reported on the work completed by the consulting firm contracted to analyze the strategies specified for further review. He presented a brief overview of the WAM model, what information can be obtained from the model and how it was used in the analysis. He discussed the three options analyzed:

- gray water (wastewater dedication),
- Providing funds to farmers for not using irrigation water rights during droughts so the water can be used for environmental flow purposes;
- Purchasing and converting underutilized water rights for use for environmental flow purposes.

Dr. Johns stated that the best results were from wastewater dedication and underutilized water rights. He added that NWF will continue a review of the strategies and will include information on how these strategies can be made effective in their report

X. Report from Recommendation Framework Subcommittee (Scott)

Chair Scott reported on the activities of the Recommendation Framework Subcommittee including the presentation of a revised outline for the final report document.

XI. Discussion and Agreement on interim BBASC Recommendations (Perkins, HDR)

Members began the decision making process for determining what changes, if any, members want to make to the BBEST recommendation. This exercise provided insight as to where members are not in agreement and what should be discussed at future meetings. Ms. Marty

Rozelle, Rozelle Group, reviewed the meeting rules adopted by the BBASC. Mr. Brian Perkins, HDR, presented an overview of the process to be used and members were asked to make decisions on “consideration points” (and not specifics). To facilitate discussions, he divided the sites into 5 groups. Mr. Perkins reviewed the data available and outlined what is known at each site within each group. He noted that the San Antonio Basin was divided into two groups (Group 1 and 2) based on data availability and members should keep in mind that these groups are connected when making any decisions. The groups were defined as follows:

Group 1 Lower San Antonio River Basin (4 gages): San Antonio at Elmendorf, Goliad, Falls City, & nr Falls City

- Most information available
- BBEST: Habitat curves w/overlays for subsistence range, and base flow range; WQ (temp/DO), TPWD, TIFP (SB2), BBASC New info provided by HDR and Bio-West, Estuary subcommittee

Group 2 San Antonio River Basin (2 gages): Medina River at Bandera and at San Antonio

- Less data available
- BBEST, TPWD

Connectivity that need to consider

Group 3 Guadalupe River Basin (2 gages): Guadalupe River Gonzales and at Victoria

- BBEST, TPWD, BBASC, Estuary Subcommittee, BBASC (yield and ecological)

Group 4 Guadalupe River Basin (1 gage): Guadalupe River at Cuero

- BBEST, TPWD

Group 5 Remaining Gages in the basin Upper Basin (Plum Creek, San Marcos River)

- BBEST, TPWD with some water quality

Members began with Group 5 located in the upper portion of the basin where available data was limited to BBEST, TPWD, and some water quality. Members discussed each gage in the group and recommendations made where possible for pass flow requirements for new water rights.

Group 5

Gage: Guadalupe at Comfort

- Subsistence Flow: The BBEST recommendation was changed to reflect Q95 numbers in consideration of TPWD concerns that the BBEST recommended numbers would create a minimal habitat less than 20% of the maximum available habitat available during these low flow periods. Members discussed the effect on the environment and potential water rights. Some noted that due to the location of the gage in the headwaters of the basin where flow is minimal and rights of Canyon Lake are in issue, environmental concerns may out way human needs. However, each gage will be considered independently and not be considered as a precedent for future decisions. These opinions should be represented in the narrative supporting the change.
 - Winter: 31 (Q95) Spring: 18 (Q95) Summer: 2 (BBST) Fall: 25 (Q95)
 - Members accepted (not adopted) the proposed modifications
- 50% Rule: (During dry times only, diversion between the dry base and subsistence flow can only be 50%)
 - Members accepted (not adopted) the BBEST recommendation

- Base Flows with three Tiers (Wet, Average and Dry): The three tiers are seasonal limits, based on hydrologic conditions and determined as a percentage of the flow in that portion of the river defined as a 12 month moving average going into each season. The Wet and Dry base each occur about 25% of the time with the average base defined as the middle 50%. Members discussed the calculations needed in this process and questioned how the recommendation could be implemented and ultimately enforced. BBEST Chair Sam Vaugh explained that the BBEST determined three tiers were needed to ensure that flow representing these particular ranges of habitat is present in the stream at sufficient frequency to protect the diversity and range of species that live there. He added that the variability of flow in the stream is necessary. Chair Scott deferred further discussion of the structure of base flows to allow members additional time to consider all the options available.
 - Members voted on the multiple options presented to get a feel of the leaning of the group
- Hydrologic Conditions: Since the BBEST recommendation for hydrologic conditions is based on three tiers of base flows and members have not determined a base flow acceptable to a majority of the group, Mr. Perkins suggested that decisions regarding the hydrologic conditions should be tabled also. Chair Scott agreed with the recommendation and further discussion was postponed until a later date.
- Pulses/Overbank Flows: Mr. Perkins explained that the BBEST recommendation included five layers of pulse/overbank flows meeting designated flow rates; two per season, 1 per season, 1 larger annual pulse (4000 cfs), 1 large overbank pulse flow per 2 years (7400 cfs) and 1 larger overbank pulse flow per 5 years (16000 cfs). Members discussed the impact of these pulses to all water right holders and the advantages of restricting use of pulse flows not only to the environment but also downstream water right holders. It was noted that restricting the taking of pulse flows will have little impact to run of the river diversions and that it would be more advantageous to restrict the taking of the pulse flows for storage in future reservoirs. Members voted on the 5 tiers recommended by the BBEST but no formal decision was made.

Members acknowledged the ecological importance of pulse flows but questioned how to implement any diversion restrictions. Considering pulse flows in addition to base flow restrictions is very difficult without constant guidance from the watermaster to determine when diversion is or is not allowed. Members suggested considering a recommendation that when enacted is a manageable, enforceable program. Members talked about the impact of diversion rates authorized in water right permits and how they are an existing limitation to the amount of pulse flow that can be diverted. Chair Scott suggested leaving the pulses but limiting the diversion rate authorized to allow the pulses to pass. From the discussion, members seem to agree that there should be some type of restriction to prevent any new reservoirs on the main stem. It was suggested that instead of viewing the numeric matrix as a permit condition, the matrix should be used as criteria on which permit applications are evaluated.

- Members considered the proposal that instead of viewing the numeric matrix as a permit condition, the matrix should be used as criteria on which permit applications are evaluated and permit conditions developed to achieve that matrix. Clarification was made that this vote is

consideration of this methodology for application at all sites. Members accepted (not adopted) the proposal (2/3 yellow)

BBEST Chair Vaugh asked members to review the analysis completed at several sites for the BBEST and BBASC for a scientific perspective. This analysis can be used to measure how the matrix will be used in evaluating impact on future projects and was used by the BBEST to conclude the BBEST recommendations were protective of the environment.

Members agreed to the Chair Scott's suggestion of a subcommittee to look at what permit conditions can be applied to these criteria of 5 pulses/flows. The following members were appointed: Tyson Broad, Jennifer Ellis, James Lee Murphy, Vice Chair Diane Wassenich, Chair Scott, Jerry James, and Steve Fotiades. The first subcommittee meeting was tentatively scheduled for Monday July 18, 2011.

What's Next

Chair Scott asked members if the present approach being used to consider the various decision points is acceptable. She stated that by the end of the next meeting, some decisions should be reached for each gage to provide time for the consultants to review the decisions and determine if there are any conflicts. This would allow members to review and finalize decisions during the August 3, 2011 meeting.

XII. Set Remaining Dates, Times, and Locations for Upcoming Meetings

The next meeting will be held at 10:00 a.m. on Monday and Tuesday, July 18 and 19, 2011 in San Antonio. Additional meetings are scheduled as follows:

- Wednesday, August 3, 2011 at 10:00 a.m.
GBRA River Annex – 905 Nolan, Seguin, Texas
- Tuesday, August 23, 2011 at 10:00 a.m.
GBRA River Annex – 905 Nolan, Seguin, Texas

XIII. Public Comment

Mr. David Baker with the Wimberley Valley Watershed Association which focuses on protecting the Cypress Creek watershed and Jacob's well.

Mr. Myron Hess, NWF, commented that the Colorado/Lavaca BBASC had similar discussions as those that occurred today and he appreciated the efforts of the group.

Adjourn